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Chairman: Mr. Maertens (Vice-Chairman) ..... (Belgium)

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In the absence of Mr. Belinga-Eboutou (Cameroon), Mr. Maertens (Belgium), Vice-Chairman, took the Chair.

The meeting was called to order at 3.15 p.m.

Agenda item 110: Advancement of women (*continued*) (A/C.3/58/L.17/Rev.1)

Draft resolution A/C.3/58/L.17/Rev.1: Women and political participation

1. **Ms. Corkery** (United States), introducing the draft resolution on behalf of the sponsors, said that the resolution urged States to encourage the participation of women in all aspects of the political process by taking measures to eliminate discriminatory practices and providing women with the tools that would enable them to take part fully and equally in decision-making processes at all levels. The sponsors hoped that, following adoption of the resolution, the recommended measures would be implemented rapidly.

2. The following countries had expressed their wish to join the sponsors of the draft resolution: Andorra, Argentina, Australia, Azerbaijan, Bangladesh, Cameroon, Canada, Cape Verde, Central African Republic, Colombia, Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Japan, Jordan, Kazakhstan, Malawi, Marshall Islands, Mexico, Federated States of Micronesia, Panama, Papua New Guinea, Peru, Republic of Korea, Romania, Russian Federation, Senegal, Serbia and Montenegro, Thailand, Timor-Leste, Togo, Turkey and United Republic of Tanzania.

Agenda item 113: Promotion and protection of the rights of children (*continued*) (A/C.3/58/L.29)

Draft resolution A/C.3/58/L.29: Rights of the child

3. **Ms. Borzi Cornacchia** (Italy), introducing the draft resolution on behalf of the sponsors, said that, as in 2002, the draft resolution was intended to provide comprehensive coverage of all issues relating to the rights of the child. The new text had been restructured to streamline its contents and it emphasized the importance of the Convention on the Rights of the Child, its Optional Protocols and other relevant human rights instruments.

4. The following countries had expressed their wish to join the sponsors of the draft resolution: Belarus, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cameroon, Central African Republic, Congo, Côte d'Ivoire, Croatia, Democratic Republic of the Congo, Ghana, Iceland, Malawi, Monaco, Mozambique, South Africa, Swaziland, Tunisia, Turkey, Ukraine and Viet Nam.

Agenda item 112: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/58/12, A/58/12/Add.1 (Suppl.), A/58/281, A/58/299, A/58/353, A/58/410 and A/58/415-S/2003/952)

5. **Mr. Shimamori** (Japan) said that Japan welcomed the directions set forth in the 2004 process of the Office of the United Nations High Commissioner for Refugees (UNHCR), which highlighted the growing understanding of the interconnections between peace and security, humanitarian action and development policies. Effective partnerships within and outside the United Nations were needed to reflect those interconnections, and human security should serve as the guiding principle for the implementation of concrete projects.

6. A key concept of the report submitted to the Secretary-General by the Commission on Human Security in May 2003 related to the protection and empowerment of refugees. According to that approach refugees were important assets with considerable potential for contributing to reconstruction and development in conflict-torn countries. To make the return to peace sustainable, special importance must be attached to helping returnees reintegrate into a revitalized local community and participate in the reconstruction of their countries.

7. Japan intended to play an active role in implementing the "Convention Plus" strategies, which included efforts to protect refugees and to provide development assistance in regions experiencing refugee outflows. That approach was consistent with another important element of the report of the Commission on Human Security, namely, filling in any gap between humanitarian assistance and reconstruction.

8. The admission of UNHCR into the United Nations Development Group was a positive measure, because development was an essential component of

the overall effort to assist refugees and it was only possible when there was close cooperation between humanitarian and development agencies. Such cooperation would be necessary to implement the "4Rs" integrated approach to the process of repatriation, reintegration, rehabilitation and reconstruction in post-conflict situations, "Development Assistance for Refugees" (DAR), and the "DLI" strategy — "Development through Local Integration". Moreover, the role of UNHCR should become even clearer when considered in the context of the whole spectrum of assistance.

9. Japan's assistance to Africa focused on human-centred development, poverty reduction through economic growth and consolidation of peace, with the aim of empowering people, including refugees, building up the capacity of local communities and achieving development with an integrated approach.

10. Japan hoped that the activities of UNHCR would receive even broader and stronger support from the international community, enhancing its visibility and increasing the number of its partners. That would increase partners' sense of ownership and help to expand the agency's financial base by attracting new donors. Japanese non-governmental organizations and individuals were ready to make a greater contribution to the work of UNHCR.

11. Lastly, Japan supported the extension of the term of the Office until the refugee problem was resolved.

12. **Mr. Goettlicher** (Croatia) said that Croatia fully supported the measures proposed in the report on strengthening the capacity of the Office of the United Nations High Commission for Refugees to carry out its mandate (A/58/410) and welcomed the fact that the High Commissioner had noted the increasing number of returnees in its region in his report for 2002 (A/58/12). In that respect, his Government had tried to create sustainable conditions for the harmonious reintegration of all refugees, including internally displaced persons, into the areas where they had resided previously.

13. The Government's policy for the return process of refugees and displaced persons had several fundamental objectives: normalization of life and living conditions; establishment of democratic stability, with priority given to the return of national minorities — primarily Croatian citizens of Serbian ethnicity; elimination of discrimination and support from central governmental institutions. One of the priorities was to create conditions for sustainable refugee returns by resolving housing problems.

14. Additional activities and funds were being directed towards acceleration of economic revitalization in the areas of return, clearance of landmines, systematization of land registers and establishment of a social security system for returnees immediately after their return. Unfortunately, the large-scale reconstruction of housing units had not been accompanied by an economic upturn creating new employment opportunities; consequently, some returnees were leaving their home regions again, which indicated the need for more systematic governmental assistance.

15. The Government had therefore become directly involved in property restitution and had adopted further measures, including increased financial support and assistance for the return of refugees to Bosnia and Herzegovina. The results had been an accelerated restitution of seized property, the creation of conditions for the sustainable reintegration of returnees into local communities and the identification of lasting solutions for refugees from Bosnia and Herzegovina. In that way, considerable progress had been achieved in the return process. Nevertheless, more aid from regional organizations and the international community would be required to conclude it, enabling the Government to dedicate its efforts to development programmes in areas of return.

16. **Mr. Ryu** Jeong-hyun (Republic of Korea) said that while the total number of refugees had decreased, the overall number of people of concern to UNHCR had increased, and the changing situation called for strengthening the Office's role and capacity. The Republic of Korea therefore welcomed the outcome of the "UNHCR 2004" process and supported the actions proposed by the High Commissioner for its implementation.

17. The Republic of Korea also supported the removal of the existing time limitation on the Office as a practical step towards enabling it to function efficiently and considered that the UNHCR "Convention Plus" initiative was a timely effort for promoting comprehensive solutions to refugee problems while reinforcing international solidarity. The Convention relating to the Status of Refugees remained an essential framework for refugee rights; however, it

was insufficient for addressing the contemporary situation of refugees. The links between post-conflict management, humanitarian assistance and development policies were becoming increasingly complex, and "Convention Plus" would help UNHCR meet the new challenges.

18. Within the framework of durable solutions, the efforts of UNHCR to improve joint strategic planning were to be commended, together with efforts to implement such innovative initiatives as the "4Rs", DLI and DAR.

19. Sufficient funding was required to enable UNHCR to fulfil its mandate effectively, and Japan supported the High Commissioner's efforts to broaden its donor base and to concentrate its core activities on those areas where it could do most to reduce human suffering. The Republic of Korea had contributed significant amounts directly and indirectly to UNHCR in 2003 and it would make every effort to increase its contributions in the future.

20. Many people living outside their country of origin were not accepted formally as refugees by recipient countries. They lived under extremely vulnerable conditions and were susceptible to a wide variety of human rights violations. Hence they were of significant concern to UNHCR, whose efforts, it was hoped, would help alleviate their plight through close consultation with the countries concerned. In particular, the principle of non-refoulement should be respected, as many such people could be subject to persecution if repatriated against their will.

21. Lastly, protection of the safety and security of humanitarian workers was a paramount obligation of the international community.

22. **Mr. Mpundu** (Zambia) said that most countries had been affected by the refugee situation. In Zambia, the problem had started over 30 years before, as a result of the liberation struggles in southern Africa. The second wave of refugees had been a consequence of civil wars in neighbouring countries and the number of refugees had increased from about 100,000 in the 1980s to approximately 270,000 today.

23. His delegation welcomed the positive developments in the area of repatriation during 2002. With peace returning to many sending States, it was to be hoped that the number of returnees would increase substantially.

24. Since the repatriation of Angolan refugees had begun in July 2003, Zambia had witnessed the successful repatriation of more than 15,000 Angolan refugees; however, the process had been slowed down by the limited capacity of absorption and, in a disturbing trend, some returnees had spontaneously gone back to Zambia. That situation not only posed a security concern but also caused pressure on the country's socio-economic structure. Zambia therefore appealed to the Government of Angola for additional support to assist it in the repatriation process. With regard to the repatriation of Rwandan refugees, fewer than 100 refugees had been repatriated under the tripartite agreement signed nine months earlier.

25. The support of the international community had been invaluable. However, the prolonged hosting of a large number of refugees had not been without problems for Zambia, causing pressure on the social infrastructure. In addressing the challenges, with the assistance of UNHCR, the Government had developed an integrated approach in refugee management designed to incorporate refugees into the development agenda. Apart from assisting in the local integration of refugees, it would eventually contribute to implementing the "4Rs", serving to equip refugees who chose to be repatriated with skills enabling them to integrate more easily into their communities.

26. Zambia commended the efforts of UNHCR in partnership with other agencies and with the international community to address the refugee situation. Immediate solutions were required to address the underlying causes, and Zambia continued to be actively engaged in trying to find solutions to the refugee situation in Africa. It appealed to the international community to focus on issues of conflict prevention and conflict resolution in order to prevent the vast flows of displaced persons throughout the world.

27. **Ms. Kapalata** (United Republic of Tanzania), fully associating her delegation with the statement made by the representative of the Democratic Republic of the Congo on behalf of the Southern African Development Community (SADC), expressed appreciation for the initiative of the High Commissioner for Refugees to strengthen his Office to adapt to the changing international political environment. The increasingly complex and persistent problem of refugees had led UNHCR to improve

standards and enhance coordination of the international community's efforts.

28. The three elements of the framework for durable solutions — development assistance for refugees, repatriation, reintegration, rehabilitation and reconstruction and development through local integration — should receive broad, serious consideration, particularly by countries that hosted large numbers of refugees.

29. Voluntary repatriation remained the best, if not always most feasible, solution to the problem of refugees. Her delegation expressed concern that, contrary to the spirit of burden-sharing, third countries of resettlement tended to choose only refugees considered to be assets and often left behind the uneducated, elderly, vulnerable and sick, including HIV/AIDS victims; first countries of asylum like her own had no such option

30. Her Government continued to believe that development through local integration of large numbers of refugees might not always be sustainable for many host countries or for the refugees themselves. Tanzania had successfully practised local integration of small numbers of refugees, such as the 3,000 refugees from Somalia. Somali refugees had been allocated Tanzanian land and allowed to apply for citizenship. For the 1 million refugees from the Great Lakes region, however, development through local integration could cause unintended demographic imbalances with serious political, security and economic consequences. The international community must share the burden with countries that promoted such integration, which should be voluntary and considered case by case.

31. The report of the Secretary-General contained in document A/58/353 accurately described the lack of security in many refugee-hosting areas of her country. Given the proliferation of small arms and light weapons in those areas, her Government faced the challenge of ensuring that refugee camps remained civilian and humanitarian in nature. While her delegation appreciated the assistance from UNHCR to deal with separating genuine refugees from armed elements, increased capacity-building and mobilization of resources were needed, including the presence of well-trained staff in the field to ensure security.

32. Her delegation noted with interest the High Commissioner's efforts to broaden the donor base and diversify UNHCR's sources of funding; the World Food Programme should also have the necessary resources to provide adequate food to refugees. In that connection, she welcomed the appeal by the representative of Norway to the international community to share the unfair burden on developing countries hosting the majority of the world's refugees.

33. She expressed appreciation to UNHCR and donor countries that had contributed to the refugee protection regime and affirmed its support for the agenda for protection adopted by the Executive Committee of the High Commissioner's Programme in 2001.

34. Her Government urged the High Commissioner to seek ways of forestalling refugee flows, including through conflict prevention and resolution, and called on the international community to exercise caution while taking innovative approaches to a problem that involved issues of sovereignty and humanitarian intervention. UNHCR had an important role to play in ensuring the safe, voluntary and sustainable repatriation of refugees and return of internally displaced persons.

35. **Mr. Tripathi** (India) welcomed the initiatives taken by the High Commissioner for Refugees during the previous General Assembly session, including the 2004 process, the repatriation, reintegration, rehabilitation and reconstruction approach and "Convention Plus", to meet changing demands, and urged the High Commissioner to provide Member States with an evaluation of the results of those initiatives.

36. The little progress made in reducing the number of refugees was a matter of concern in the light of the many new refugee flows reported in Africa.

37. His Government urged UNHCR to be cautious about taking on new tasks and to focus its limited resources above all on refugees themselves. Because responsibility for internally displaced persons fell mainly to Member States, UNHCR involvement with them should be based on explicit requests by the Member States concerned. The parts of the United Nations system that handled humanitarian matters should work within their mandates and avoid duplication.

38. More attention must be given to the developing countries, which bore the brunt of hosting and protecting refugees.

39. In a spirit of solidarity, responsibility and burden-sharing, UNHCR and the international community must address the underlying factors such as poverty that caused refugee flows, including through implementation of the Millennium Development Goals.

40. Until the necessary adjustments were made to the 1951 Convention and 1967 Protocol to address massive refugee flows and mixed migration, his Government would continue to find it difficult to accede to the existing legal framework.

41. His delegation welcomed the High Commissioner's efforts to enhance the accountability and transparency of UNHCR, which must preserve its impartiality and non-political character, especially given the proposal to remove the existing time limitation on the Office. UNHCR must cooperate closely with concerned States and carefully consider the impact that its proactive role would have on the ground.

42. **Mr. Bencherif** (Algeria), welcoming the "Convention Plus" initiative, assured the Committee of his Government's full support in strengthening the Office of the High Commissioner for Refugees. He paid tribute to the late High Commissioners Prince Sadruddin Aga Khan and Sergio Vieira de Mello, who had devoted much of their lives to the cause of refugees.

43. The number of refugees under UNHCR auspices remained alarming. Two thirds of the more than 20 million refugees, many of whom had fallen victim to poverty, exclusion and despair, had been hosted by developing countries, especially in Africa.

44. While humanitarian actors should be congratulated for their assistance, the crucial participation of donor countries continued to diminish. There was a need for greater public awareness, more equitable financial assistance, strengthened coordination among international actors and action to combat the silence that prevailed in some humanitarian crises.

45. The burden on the countries of the South, which hosted the majority of refugees, remained heavy. His Government renewed its appeal for the contributions of refugee-hosting countries to be taken into account.

46. His Government, which had a tradition of welcoming refugees from Africa, Asia and Latin America since independence, expressed its solidarity with the Palestinian people, several thousand of whom were fully integrated in Algeria. His Government would also continue to provide humanitarian assistance to the Sahrawi people, with the support of UNHCR and the World Food Programme, until the people of the Western Sahara could exercise their right to self-determination.

47. Finally, preventive action and effective coordination among humanitarian actors were needed to eliminate the scourge of exile.

48. **Mr. Šahović** (Serbia and Montenegro) said that the effective protection of the alarming number of refugees remained a top priority for the international community. UNHCR, which had a major role to play, should be further strengthened.

49. His delegation noted with interest the High Commissioner's report on strengthening the capacity of the Office and the "Convention Plus" initiative to promote burden-sharing and seek durable solutions, and expressed its support for the framework for durable solutions, including repatriation, reintegration, rehabilitation and reconstruction, development assistance for refugees, and development through local integration. The results of the pilot projects launched in several countries should be used as a basis for drafting the rules of engagement for repatriation, reintegration, rehabilitation and reconstruction.

50. UNHCR should take into account the special needs of children and women refugees and adopt a policy of zero tolerance for sexual and gender-based violence.

51. With regard to assistance to internally displaced persons, too often provided on an ad hoc basis, his Government called for the establishment of clearer criteria for the involvement of international agencies, including UNHCR, and better coordination and division of work among Member States, the United Nations system and other stakeholders.

52. His delegation expressed its appreciation to UNHCR and the donor countries, which had provided invaluable assistance to help shelter some 400,000 refugees from Croatia and Bosnia and Herzegovina in Serbia and Montenegro. In 2002, his Government had adopted a national strategy to find durable solutions for refugees, including the promotion of local integration and provision of adequate housing and employment, and it hoped that the international community would

provide financial support to meet the substantial costs of those measures.

53. The legislative and administrative measures taken by Croatia to ensure the sustainable return of refugees, despite some flaws, were to be welcomed. The agreement between Serbia and Montenegro and Bosnia and Herzegovina requiring both States to create the necessary conditions to guarantee a voluntary, orderly and safe return of refugees, in accordance with international human rights standards, should accelerate the return rate.

54. Despite many international initiatives, the prospects for improvement in the unacceptably slow pace of return of the more than 260,000 internally displaced persons from Kosovo and Metohija were dim because of the violence and discrimination against the non-Albanian population in that province.

55. In conclusion, his Government would continue to cooperate with Member States, including neighbouring countries, to seek solutions for the protection of refugees in the region.

56. **Archbishop Migliore** (Observer for the Holy See) said that, following the Second World War, the Holy See had gained broad experience in dealing with refugees, displaced persons, returnees, migrants and stateless persons, whose plight it had always viewed with great concern. Therefore, the central guiding principle of any effort to address that transnational challenge must be the defence of their dignity — the equal dignity inherent in all people being the natural moral foundation of human rights and solidarity.

57. The protection of refugees also entailed meeting the special needs of women and, in particular, children, who accounted for up to 70 per cent of the refugee population and some of whom had lived their entire lives in refugee camps. Eighty per cent of children living with HIV/AIDS were found in Africa, the second largest asylum for the world's refugees. Much remained to be done to grant refugee children greater access to education, which remained grossly inadequate, to help avert military recruitment, exploitation, abuse and trafficking.

58. His delegation noted with concern the occasional bias in the media and on the part of political figures against refugees and displaced persons which sometimes made them victim to humiliation, persecution and violence.

59. Various agencies of the Catholic Church were supporting UNHCR's refugee protection activities. The Holy See welcomed the appeal put forward in the 2004 process for burden-sharing and durable solutions and efforts to strengthen cooperation between UNHCR and partners within and outside the United Nations system, including the United Nations Development Group and the Geneva Migration Group. In that connection, he welcomed the initiative of the Population Division of the Department of Economic and Social Affairs in convening the two Coordination Meetings on International Migration, held in July and October 2003. The partnerships and interdisciplinary information-sharing arising from those meetings would promote consultations between countries of origin and host countries of migrant workers and refugees and serve to allay national security concerns.

60. Acknowledging the connection between cooperative migration management, free from nationalistic and commercial interests, and development, the Holy See firmly believed that migrants could contribute to society if granted a sense of dignity and worth, and was encouraged that that vision was reflected in the High Commissioner's report.

The meeting rose at 4.35 p.m.